

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Case No. 1:19-cr-96

Plaintiff,

v.

Hon. Paul L. Maloney

EDWARD PEREZ RIOS

Defendant(s).

**GOVERNMENT'S
INITIAL PRETRIAL CONFERENCE
SUMMARY STATEMENT**

I. DISCOVERY

A. Statements of Defendant

1. Oral Statements (Rule 16(a)(1)(A))



There are no written records of oral statements or other oral statements as defined in Rule 16(a)(1)(A).



There are the following written records of oral statements:

The substance of which



has been disclosed to defense counsel.



will be disclosed to defense counsel by _____.

2. Written or Recorded Statements (Rule 16(a)(1)(B))



There are no written or recorded statements or grand jury testimony of defendant.



There are the following written or recorded statements or grand jury testimony:

All written or recorded statements



have been disclosed to defense counsel.



will be disclosed to defense counsel by _____.

B. Defendant's Prior Record (Rule 16(a)(1)(D))

- ☐ The Government has made due inquiry and is not aware of any prior criminal record.
- ☒ The Government has disclosed defendant's prior criminal history.
- ☐ The Government is now making inquiry into defendant's prior criminal history. The results will be disclosed to defense counsel upon receipt.

C. Documents and Tangible Objects (Rule 16(a)(1)(E))

- ☐ The Government has no documents, tangible objects, or physical evidence required to be disclosed.
- ☒ The Government has the following documents, tangible objects, and physical evidence:
- ☐ Drug Paraphernalia ☐ Drug Records ☐ Inventory (attached)
- ☐ Controlled Substances: _____
- ☐ Records: _____
- ☐ Firearms: _____
- ☒ Other: iPhone, iMac, and other electronics seized from him and his home
- ☒ The Government voluntarily notifies the defendant of the following search warrants issued and the warrant returns:
- ☒ State
- ☐ Federal:
- Case No. _____ Re: _____
- Case No. _____ Re: _____
- Case No. _____ Re: _____
- ☒ They have been made available for inspection and copying by defense counsel.
- ☒ Defense counsel should make arrangements with:
- To review evidence containing child pornography, contact AUSA Sanford

D. Reports of Examinations and Tests (Rule 16(a)(1)(F))

- ☐ The Government has no reports of examinations or tests required to be disclosed by Rule 16.
- ☒ The Government has or expects to have reports of the following examinations and tests:
- ☐ Drug Analysis ☐ Handwriting ☐ Fingerprints
- ☐ DNA ☐ Firearms/Nexus ☐ Gun Operability
- ☒ Computer Forensics ☐ Other: _____

E. Reciprocal Discovery

- ☒ The Government seeks reciprocal discovery.

F. Notice Under FRE 404(b)

- ☐ The Government does not presently intend to introduce 404(b) evidence.
- ☒ The Government does presently intend to introduce the following 404(b) evidence:

The government intends to introduce the conduct to which the defendant pleaded guilty in 2015. The defendant previously possessed child pornography, which is relevant to intent, identity, and absence of mistake in this matter. The reports from the previous incident have been provided to defense counsel.

- ☐ The Government will provide pretrial notice of 404(b) evidence by _____.

G. Other Discovery Matters

II. TRIAL

A. The Government requests a ☒ jury ☐ non-jury trial.

B. The length of trial excluding jury selection is estimated at 1 day.

III. MISCELLANEOUS

The parties acknowledge that if the case is appropriate for expedited resolution, a joint motion for expedited sentencing shall be filed within 14 days of arraignment.

- ☒ The Government is unaware at this time of any known conflict with defendant's representation by counsel. The United States will immediately advise counsel if any such conflict becomes known.
- ☐ The Government is aware of the following potential conflicts:

- ☒ Government's plea negotiation policy:

No concessions within two weeks of trial.

Date April 25, 2019

Alexis M. Sanford
Counsel for the United States